

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF PUBLIC INTEREST

The Director of the Department of Consumer and Regulatory Affairs pursuant to D.C. Law 2-144, effective March 3, 1979-, "**The Historic Landmark and District Protection Act of 1978**" hereby gives notice that the addresses listed below, as requested permission to demolish, altar, sub-divide or erect new structures at the following location(s):

Application Date	Address	Lot	Square	Use
9/11/03	3124 Q Street, NW	76	1270	Temp. Retaining Wall
	3340 "N" Street, NW	79	1220	Concept
	3328 "O" Street, NW	141	1229	Roof & Gutter
	3328 "O" Street, NW	141	1229	Concept
	2619 "O" Street, NW	850	1262	Replace foot bridge
9/12/03	3315 Caddy's Alley, NW	57	1184	Concept
	1645 Wisconsin Avenue, NW	104	1280	Sign
9/16/03	2619 Garfield Street, NW	27	2107	Replace sun deck
	122 "F" Street, NW	21	736	Deck fence/SFD
9/22/03	3337 "P" Street, NW	222	1254	Add/SFD
	549 11 th Street, SE	800	973	Repair fence/SFD
	3140 Dumbarton Street, NW	812	1232	Guard rail/SFD
	603 Massachusetts Avenue, NW	808	866	Windows/SFD

9/24/03	1732 Connecticut Avenue, NW	48	92	Rev. canopy bay window
	1508 "U" Street, NW	87	190	Add
	3415 Main Avenue, NW	40	1939	Concept
	3027 "Q" Street, NW	262	1282	Roof
9/25/03	2842 28 th Street, NW	77	2111	Concept
	1643 Wisconsin Avenue, NW	821	1280	Sign
	901 "U" Street, NW	82, 83 & 87	360	Rehab.
	1607 Monroe Street, NW	754	2610	Driveway

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Application Date	Address	Lot	Square	Use
10/1/03	113 2 ND Street, NE	25	758	Add
	1227 Maplevue Avenue, SE	905	5802	Raze
	1264 Wisconsin Avenue, NW	836	1218	Roof
	603 Massachusetts Avenue, NW	808	866	Windows/SFD

**DEPARTMENT OF CONSUMER AND REGULATORY
AFFAIRS****NOTICE OF PUBLIC INTEREST**

Forwarded for your information is a weekly listing of **raze permit application** filed with the Permit Service Center of the Building and Land Regulation Administration, requesting a permit to raze listed structures with the District of Columbia.

Application Date	Address	Lot	Square	Use
9/11/03	4835 Hutchins Place, NW	89	1387	2-Story SFD
9/22/03	5035 Klinge Street, NW	873	1435	1-Story SFD w/bsmt.
9/23/03	1208 & 10 13 th Street, NW	825	245	2-Story retail
	1214 13 th Street, NW	827	245	2-Story retail
	1220 13 th Street, NW	834	245	2-Story retail
	220 "L" Street, NW	78	748	2-Story Comm.

**Department of Consumer and Regulatory Affairs
Business Professional and Licensing Administration**

Notice of Public Interest

The Department of Consumer and Regulatory Affairs hereby extends until close of business (4:45 p.m.) on November 14, 2003, the period for submitting the renewal of all business licenses that currently expire as of October 31, 2003. Requirements for the business license renewals are stated within the renewal bill documents.

Payments may be sent to P.O. Box 91360, Washington, D.C. 20090, or in person at 941 North Capitol Street, NE, Washington, D.C. Room 1100. For further information, please contact the Basic Business License Infocenter at (202) 442-4311, or by emailing the BBL Infocenter at BBL.Infocenter@dc.gov.

**BOARD OF ELECTIONS AND ETHICS
CERTIFICATION OF ANC/SMD VACANCIES**

The District of Columbia Board of Elections and Ethics hereby gives notice that there are vacancies in eleven (11) Advisory Neighborhood Commission offices, certified pursuant to D.C. Official Code §1-309.06(d)(2);2001 Ed.

VACANT: 7D07

Petition Circulation Period: **Monday, September 29, 2003 thru Monday, October 20, 2003**
Petition Challenge Period: **Thursday, October 23, 2003 thru Wednesday, October 29, 2003**

VACANT: 7D02

Petition Circulation Period: **Tuesday, September 30, 2003 thru Monday, October 20, 2003**
Petition Challenge Period: **Thursday, October 23, 2003 thru Wednesday, October 29, 2003**

**VACANT: 3D07, 3D08, 3E05
 5C10, 5C11
 6B11
 8B03, 8C05, 8C06**

Petition Circulation Period: **Wednesday, October 1, 2003 thru Tuesday, October 21, 2003**
Petition Challenge Period: **Friday, October 24, 2003 thru Thursday, October 30, 2003**

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections and Ethics
441 - 4th Street, NW, Room 250N**

For more information, the public may call 727-2525.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PUBLIC INTEREST**REQUEST FOR COMMENTS ON THE ESTIMATES AND
METHODOLOGY FOR THE DISTRICT OF COLUMBIA
FY 2002 CASELOAD REDUCTION CREDIT REPORT**

The Director, Department of Human Services (Department), pursuant to the requirements of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 601 *et seq.*) and 45 C.F.R. 261.41(a)(8), hereby gives notice of the intent to publish the 2002 Temporary Assistance for Needy Families (TANF) Caseload Reduction Credit Report. At the end of each fiscal year, the Department of Human Services is required to submit a Caseload Reduction Credit Report to the Department of Health and Human Services' Regional Office. The Caseload Reduction Credit Report provides data on the gross decline in the District's TANF caseload and estimates whether any portion of this caseload decline is attributable to changes in program rules that have the effect of restricting eligibility. Under federal regulations, this Report must be made available for public comment.

Overall Caseload Decline

In 2002, the District's average monthly caseload was sixteen thousand three hundred ninety (16,390). This includes cases for the Program on Work Employment and Responsibility (POWER), the separate state program in the District of Columbia that serves TANF-eligible families in which the adult is incapacitated.

In fiscal year 2002, the average monthly POWER caseload was three hundred five (305). In 1995, the District's average monthly caseload was twenty-six thousand seven hundred eighty-nine (26,789).

Thus, between 1995 and 2002, the overall caseload fell 38.8 percent.

Because the District's eligibility changes that expanded eligibility are larger than those that restricted eligibility, the District estimates that its caseload reduction credit for FY 2003 is 38.82 percentage points. This caseload reduction credit should apply to the "all families" rate.

Two-Parent Caseload Decline

In 2002, the District's average monthly two-parent caseload was sixty (60). In FY 2002, there was an average of two (2) two-parent POWER cases each month.

In 1995, the District's average monthly two-parent caseload was one hundred ninety-eight (198).

Thus, between 1995 and 2002, the two-parent caseload fell 69.7 percent.

Because the District's eligibility changes that expanded eligibility are larger than those that restricted eligibility, the District estimates that its caseload reduction credit for FY 2003 is 69.7 percentage points. This caseload reduction credit should apply to the "two-parent" rate.

Eligibility Changes

The following table shows the eligibility changes the District has made in its TANF program since 1995. It provides the implementation date of change and describes the effect that the changes have had on our caseload. The eligibility changes that have increased the number of families eligible for assistance currently have larger effects on our caseload than the eligibility changes that have restricted eligibility, thus no adjustment is necessary to the District's caseload reduction credit. The District estimates that the eligibility changes that restricted eligibility (mandated immigrant-eligibility changes and the requirement that minors live in an adult supervised setting) reduced the caseload by fewer than twenty (20) cases.

There have been no eligibility changes to the District's TANF program since the submission of last year's report.

Eligibility Change	Date Implemented	Estimated Impact on Caseload
Denied assistance to non-qualified immigrants.	October 1996	The effect of this change was minimal. At the time the policy was implemented, fewer than ten (10) cases were terminated from assistance. Prior to the federal law change, most immigrant families receiving assistance received assistance only for the children. That is, the children received a child-only grant. This was the case because a large proportion of very low-income immigrant families in the District are headed by non-qualified immigrants who were ineligible for cash assistance under the prior Aid to Families with Dependent Children (AFDC) rules, such as parents who had been granted Temporary Protective Status. The children in most of these families were born in the United States and, thus, are U.S. citizens. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) changes did not affect these families' eligibility for assistance.

Eligibility Change	Date Implemented	Estimated Impact on Caseload
Denied assistance to certain qualified immigrants in their first five (5) years in the country.	October 1996	The effect of this eligibility change is also minimal. Historically, most immigrant families that received AFDC received a child-only grant on behalf of citizen children. Again, we estimate that this eligibility change has reduced the District's average monthly caseload by less than ten (10) cases.
Required minor parents to live in an adult-supervised setting.	March 1997	No cases were terminated based on this requirement. Prior to the enactment of this provision, very few minor parents were living without adult supervision. Of those who were, some moved into such a setting while others were deemed to be living in appropriate settings.
Increased earned income disregard from prior AFDC policy (ninety dollars (\$90) work expense disregard plus thirty dollars (\$30) and 1/3 of the remainder on a time-limited basis) to one hundred dollars (\$100) + fifty percent (50%). The new disregards, provided only to recipients, are available without time limits.	August 1998	This eligibility change increased the number of families eligible for assistance by increasing the amount of money a family can earn and remain eligible for supplemental assistance.
Removed stepparents from assistance unit and no longer deemed stepparent income to the assistance unit.	August 1998	This change also increased the number of families eligible for assistance. When a custodial parent married, the income of the stepparent often either reduced the family's cash assistance grant or made the family wholly ineligible. By removing the stepparent from the assistance unit and not deeming stepparent income to the assistance unit, families in which a parent marries can now retain their eligibility for cash assistance.

Eligibility Change	Date Implemented	Estimated Impact on Caseload
Disregarded earnings from temporary Census Bureau employment.	February 2000	This change increased the number of families eligible for assistance.
Eliminated quarterly reporting and extended the certification period of earned income supplementation cases from three (3) months to six (6) months. During the certification period, the recipient is only required to report non-financial changes and total income above one hundred thirty percent (130%) of poverty level	May 2001	This change increased the numbers of families who remain eligible for assistance while working.
Increase earned income disregards from one hundred dollars (\$100) work expense and fifty percent (50%) to one hundred sixty dollars (\$160) and two-thirds. The change applies to receipts only and is not time limited. It allows earned income up to one hundred percent (100%) if poverty level.	May 2001	This change increased the number of families who remain eligible after they begin working. Earned income supplementation cases increased from four hundred forty-two (442) in April 2001 to six hundred eighty-seven (687) in September.
Increased the resource limit by eliminating the countable value of all motor vehicles.	July 2001	This change increased the number of families that qualify for assistance.

Federal Requirements

Because none of the applicable policy changes listed below have resulted in a negative impact on case closures (although individuals may be ineligible for assistance), it is our understanding that the establishment of a methodology for determining impact is unnecessary.

1. Parents/caretakers must work after twenty-four months (24) months of assistance or when job ready.
2. Teen parents must live in adult-supervised settings to receive assistance;
3. A state must deny assistance for ten (10) years to a person found to have fraudulently misrepresented residence in order to obtain assistance in more than one state.
4. A state must deny assistance for fugitive felons, probation violators, or parole violators.
5. A state must deny assistance for certain individuals convicted of drug-related felonies (NOTE: the District has not adopted this provision based on District law).
6. Non-qualified aliens are ineligible for Federal TANF assistance.

Application Denials and Case Closings

Reason	Application Denials		Case Closings	
	FY95	FY02	FY95	FY02
Failure to Complete Eligibility Process	1854 62.6%	1009 49.4%	2445 32.9%	2235 40.1%
Earnings	181 6.1%	476 23.3%	1035 13.9%	928 16.7%
Unearned Income	141 4.8%	117 5.7%	289 3.9%	189 3.4%
Failure to Meet an Eligibility Requirement	439 14.8%	185 9.0%	2076 27.9%	1187 21.3%
Monthly/Quarterly Reporting	0 0%	0 0%	124 1.7%	0 0%
Voluntary Withdrawal	226 7.7%	118 5.8%	918 12.3%	456 8.2%
Administrative Closing	119 4.0%	139 6.8%	551 7.4%	573 10.3%
Total	2960 100.0%	2044 100.0%	7438 100.0%	5568 100.0%

All interested persons are invited to submit written comments to:

Kate Jesberg, Administrator
Income Maintenance Administration
645 H Street, N.E., 5th Floor
Washington D.C. 20002

The comment period will be open until the close of business thirty (30) days from the date this notice is published in the *D.C. Register*.

DISTRICT OF COLUMBIA COMMISSION ON JUDICIAL
DISABILITIES AND TENURE

Judicial Tenure Commission Begins Reviews
of Judges For Senior Status

This is to notify members of the bar and the general public that the Commission is reviewing the qualifications of Judge Frank Q. Nebeker of the District of Columbia Court of Appeals, and Judges Truman A. Morrison, III, Robert S. Tignor, and Fred B. Ugast of the Superior Court of the District of Columbia, who have requested recommendations for reappointment as Senior Judges.

The District of Columbia Retired Judge Service Act P.L. 98-598, 98 Stat. 3142, as amended by the District of Columbia Judicial Efficiency and Improvement Act, P.L. 99-573, 100 Stat. 3233, §13(1) provides in part as follows:

"...A retired judge willing to perform judicial duties may request a recommendation as a senior judge from the Commission. Such judge shall submit to the Commission such information as the Commission considers necessary to a recommendation under this subsection.

(2) The Commission shall submit a written report of its recommendation and findings to the appropriate chief judge of the judge requesting appointment within 180 days of the date of the request for recommendation. The Commission, under such criteria as it considers appropriate, shall make a favorable or unfavorable recommendation to the appropriate chief judge regarding an appointment as senior judge. The recommendation of the Commission shall be final.

(3) The appropriate chief judge shall notify the Commission and the judge requesting appointment of such chief judge's decision regarding appointment within 30 days after receipt of the Commission's recommendation and findings. The decision of such chief judge regarding such appointment shall be final."

The Commission hereby requests members of the bar, litigants, former jurors, interested organizations and members of the public to submit any information bearing on the qualifications of Judges Nebeker, Morrison, Tignor, and Ugast which it is believed will aid the Commission. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting materials will be kept confidential unless expressly authorized by the person submitting the information.

All communications should be mailed, faxed, or delivered by November 28, 2003, and addressed to:

District of Columbia Commission on Judicial
Disabilities and Tenure
Building A, Room 312
515 Fifth Street, N.W.
Washington, D.C. 20001
(Telephone: 727-1363)
(FAX: 727-9718)

The members of the Commission are:

Ronald Richardson, Chairperson
Hon. Gladys Kessler, Vice Chairperson
Mary E. Baluss, Esquire
Gary C. Dennis, M.D.
Kumiki Gibson, Esquire
Eric H. Holder, Jr., Esquire
William P. Lightfoot, Esquire

BY: /s/ Ronald Richardson
Chairperson

Office of the Director of the Department of Mental Health**Public Notice of Funding Availability**

The District of Columbia, Office of the Director of the Department of Mental Health, announces the availability of funding to develop program capability and capacity in homeless outreach for street-bound individuals in the District of Columbia.

Qualified nonprofit, community-based organizations (certified MHRS providers) are invited to submit applications for the following award:

**Development of Homeless Outreach Services
Through Mentoring and Technical Assistance**

The target population for the purposes of this RFA will be adults with serious and persistent mental illness and a history of chronic homelessness.

Three awards will be made for a period of six months with the understanding these funds will be used for program start-up and that Mental Health Rehabilitation Services funding will be used following the start-up period. During the six month period, staff from the DMH Homeless Outreach Program (HOP) under the direction of Michele May will provide mentoring to designated agency staff. The grant funds will be used to supplement staffing costs (short term) and provide other funds to be used for the agency's outreach project.

The Request for Applications (RFA) will be available on October 6, 2003 and may be picked up at the reception desk of the following office between 9:00 am and 4:30 pm:

Office of the Department of Mental Health
64 New York Avenue, N.E.
Fourth Floor
Washington, D.C. 20002

(Union Station Metro Stop)

The deadline for submission of applications is 4:30 p.m. on October 24, 2003.

For additional questions regarding this RFA contact:

Linda Kaufman
Director, Organizational Development
Department of Mental Health
(202) 673-7505 (202) 673-1930(fax)
linda.kaufman@dc.gov

REQUEST FOR APPLICATIONS (RFA): #04-HMP001

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF MENTAL HEALTH

**Development of Homeless Outreach Services
Through Mentoring and Technical Assistance**

DMH invites the submission of applications from MHRS-certified providers for funding and technical assistance to increase capacity and capability in providing homeless outreach services to adults with serious mental illness and a history of chronic homelessness.

**Announcement Date: October 6, 2003
RFA Release Date: October 6, 2003**

Application Submission Deadline: October 24, 2003, 4:30 p.m.

LATE APPLICATIONS WILL NOT BE FORWARDED FOR REVIEW

In accordance with the DC Human Rights Act of 1977, as amended, DC Official Code section 2.1401.01 et seq. ("the Act"), the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, source of income, or place of residence or business.

NOTICE

PRE-APPLICATION CONFERENCE

WHEN: October 15, 2003

WHERE: Department of Mental Health (DMH)
64 New York Avenue, N.E.
Fourth Floor
Washington, D.C. 20002

TIME: 2:00 to 3:00 p.m.

CONTACT PERSON: Linda Kaufman
Department of Mental Health
64 New York Avenue, N.E.
Washington, D.C. 20002
(202) 673-7505

SECTION I GENERAL INFORMATION**Effective Homeless Outreach Services to End Chronic Homelessness****Introduction**

The Washington, D.C., Department of Mental Health (DMH) is making funds available to develop and strengthen homeless outreach services that will help end chronic homelessness in the nation's capital. Over the past year, it has become clear that one of the underserved populations for the Department of Mental Health is persons with a mental illness who are chronically street-bound. Many of this population are also struggling with substance abuse; many individuals are already on the rolls of the Department, have eCura numbers but are not being seen. In order to respond more fully to this population, DMH proposes to develop an incentives and mentoring to build capacity in the mental health provider network to engage this special population. This type of engagement is critical and included in our requirements in the *Dixon* case. The Department strongly supports this requirement and DMH is taking a leading role the Mayor's initiative to end chronic homelessness. The program will include both mentoring/assistance from the HOP staff in addition to providing for costs associated with strengthening street outreach.

Target Population

The target population for this RFA are persons who are chronically homeless, have multiple impairments and are difficult to engage in services and support in their own housing. These individuals have been street-bound or continuously in and out of drop-in centers and the emergency shelter system. The program's mission is to end an individual's homelessness by engaging individuals on the street, working to provide housing, and following that up with mental health, substance abuse and primary care treatment on a continuing, unconditional basis.

This initiative will further strengthen the DMH commitment to providing community-based, recovery-centered services to the most vulnerable citizens of the District of Columbia: persons who are chronically homeless who often have a co-occurring substance abuse disorder. Although DMH has worked diligently to provide these services through the development of a community-based system of care (MHRS), providing Medicaid and local funding for services such as ACT teams, community support, crisis emergency, medication/somatic, and diagnostic/assessment, the street-bound population remains underserved.

Eligible Organizations

Organizations and entities eligible for these funds are limited to non-profit agencies providing community-based mental health services to adults with serious and persistent mental illness in Washington, DC. Eligible agencies/entities must be certified by the Department of Mental Health to provide services under Mental Health Rehabilitation Services.

Source of Grant Funding

The Department of Mental Health is making available local funding to be used as start-up funding with the understanding that six months of mentoring and support will provide enough capability that the organization will continue to provide services through the use of MHRS funding.

Award Period

The grant funds will be awarded for the period of six months, to begin during FY 2004 to coincide with the beginning of the hypothermia season.

Grant Awards and Amounts

DMH intends to award a total of \$75,000 in grant funds specifically targeted to develop capacity and capability in three organizations (\$25,000 each) for effective outreach to street-bound homeless individuals.

Contact Person

Inquiries about this available funding or about the project activities and requirements can be made by contacting Linda Kaufman, Director, Organizational Development, Department of Mental Health at 64 New York Ave., N.E., Washington D.C., (202) 673-7505 or (202) 673-1930 (fax) or Linda.Kaufman@dc.gov (email address).

Pre-Application Conference

Prospective applicants are strongly encouraged to attend the pre-application conference scheduled to be held on October 15, 2003 from 2:00 to 3:00 p.m. at the Department of Mental Health, 64 New York Ave., N.E., Fourth Floor, Washington, D.C. 20002.

SECTION II SUBMISSION OF APPLICATIONS**Application Identification**

Each application must contain a title page with the name and address of the agency submitting the proposal. A contact person must be identified by name, title, address, telephone number and fax number.

Application Submission Date and Time

Each respondent to this RFA shall submit an original and five copies of the proposal in a sealed envelope marked "**Development of Homeless Outreach Services through Mentoring and Technical Assistance.**" The envelope shall be hand delivered or mailed to the Director of the Department of Mental Health, 64 New York Ave., N.E., Fourth Floor, Washington, D.C., 20002.

The proposal must be received at the above address not later than 4:30 p.m. on October 24, 2003.

Proposals may be sent by registered or certified mail or by express mail, at least three days in advance of the closing date with a receipt requested. Proposals may not be faxed or emailed. Proposals received after the deadline hour and date may be accepted only if the Department of Mental Health determines that the late receipt at the location specified was caused by mishandling of the proposal by the District Government after receipt or that the original receipt in case of registered or certified or express mail shows that the proposal was mailed at least three days in advance of the closing date. Regardless of the reason, no proposal shall be accepted later than two (2) business days after the closing date.

SECTION III PROGRAM AND ADMINISTRATIVE REQUIREMENTS**Use of Funds**

DMH will identify two to three MHRS-certified providers to work with approximately 10-15 consumers each who are chronically homeless and have a mental illness. Client referrals will be made by the Homeless Outreach Program (HOP) directly, Access HelpLine, other service providers, and/or other street outreach staff. Full names, dates of birth and social security numbers may not be available on referrals. The CSA is expected to research and work with outside agencies and the consumer to obtain this information, however this information is not required for the agency to provide service and receive reimbursement.

The providers will be expected to meet new consumers through introduction as appropriate from other agencies who work closely with the consumer. It is expected that joint visits to the consumer will occur often. Agencies will be expected to offer services during non-traditional hours (before and after traditional service hours).

Staff from each selected agency will work in close collaboration with the Homeless Outreach Program (HOP) and other homeless providers to engage consumers in the community, and identify resources and services, with the goal of assisting the consumer in moving into stable, safe housing. Because of the challenges of connecting with and providing services on the street, staff from the selected agency will work in a mentoring relationship with HOP staff. Staff will be expected to work on housing as a priority service, working closely with the DMH housing office. Agencies will also work to engage consumers utilizing non-traditional methods such as buying coffee, cigarettes, hot dogs. Immediate, temporary shelter will be available through the DMH housing office.

In addition, agencies will need to be sensitive to the causes of the individual's isolative tendencies and not present services as solely based on the need for mental health treatment. Many of these individuals lack basic insights into their mental illnesses and thus have been historically uninterested in receiving psychiatric treatment or in signing documents. Agencies are expected to encourage and provide these services as appropriate by developing a trusting relationship between the outreach worker/case manager and the consumer.

Selected agencies will be expected to:

- provide services on the street, in shelter, or wherever the individual can be found
- spend time engaging individuals
- develop a housing plan including both immediate and permanent housing
- participate in case conferences in the field involving multiple agencies
- provide support to homeless programs in working with identified consumers
- immediately participate in crisis planning for consumers by coming to CPEP, St. Elizabeths, or other ERs
- provide daily visits to St. Elizabeths, bringing items to the consumer in order to bolster the relationship, as appropriate
- participate in regular conferences involving all providers (St. Elizabeths, community, family and consumer)

Agency funds to be used for items, such as:

- engagement funds (coffee, cigarettes, meal, etc.)

- transportation assistance
- clothing, toiletries
- off-set staffing costs (short-term)

Other resources available to programs:

- mentoring available through HOP
- travel assistance available through Jim Zinn/Travelers Aid
- emergency housing through Edith Makenta and the housing office
- technical assistance for:
 - record-keeping
 - MHRS billing for homeless services
 - program planning
 - data tracking and reporting

Reports

Quarterly reports on project activities will be required of the agency according to a format specified by the Department of Mental Health. Agencies will be requested to collect and make available, on a regularly scheduled basis, outcome data consumers.

Records

All records must be protected according to applicable rules and regulations governing confidentiality of client information.

The agency must retain a copy of all clinical records and outcomes of consumers, and make these records available to DMH staff upon request.

Monitoring and Evaluation

The Department of Mental Health, Office of Delivery Systems Management, will monitor project activities on a continuing basis by reviewing data, meeting with agency staff and providing training and technical assistance. Additionally, there will be an end-of-project evaluation.

SECTION IV GENERAL PROVISIONS**Audits**

The Department of Mental Health retains the right to conduct audits, as determined to be necessary.

Nondiscrimination in the Delivery of Services

In its provision of services/supports, the agency must not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, source of income or place of residence or business. Furthermore, the agency must demonstrate cultural competence.

SECTION V PROGRAM SCOPE**Program Objective**

By expanding services for homeless adults with serious and persistent mental illness, often with a co-occurring substance abuse, the Department intends to support recovery from mental illness; provide individualized services and supports in the most integrated setting possible; foster client choice and independence; and develop effective models for the integration of mental health treatment and appropriate, permanent housing.

Many of the MHRS-certified providers formerly provided more homeless services, and now seem to be struggling to find ways to provide those services under MHRS. In order to encourage their provision of services to homeless individuals, this program will provide:

- Cash incentives
- Mentoring for CSA staff provided by the Homeless Outreach Project (DCCSA)
- Housing assistance from DMH
- Assistance with program/project planning

There will also be a clear expectation of consumer tracking and data reporting.

The objective of the program is to engage chronically street-bound individuals and support them in recovery.

Applicant Responsibilities

The agency-based homeless outreach workers will receive referrals the City's outreach teams, drop-in centers and shelters. DMH estimates that 1,200 adults are "chronically homeless" on the streets and in shelters and that approximately 500 (42%) of these are disabled by both a severe mental illness and substance abuse (Burt, M. and Starkey, P., 2002). Working in a mentoring relationship with DMH HOP staff, the agency staff will conduct its own outreach and approach individuals living on the streets, parks, abandoned buildings, Metro stations, and other places where people who are homeless congregate. The team may also be alerted to look for a homeless individual by the police, family members, or concerned individuals in the community.

SECTION VI REVIEW AND SCORING OF APPLICATIONS**Scoring Criteria**

Proposals will be evaluated according to the following criteria:

- Articulation of the agency's understanding of and commitment to the principles and practices of the street-based homeless outreach. (up to 15 points)
- Designation of appropriate agency resources to the project – staffing and other resources (up to 25 points)
- Spending plan for six months of services (up to 15 points), including
 - engagement funds (coffee, cigarettes, meal, etc.)
 - transportation assistance
 - clothing, toiletries
 - offset staffing costs (short-term)
 - spending plan should be based on a grant of \$25,000 for a period of six month
- Experience providing mental health services to SMI and SPMI individuals (up to 15 points)
- Evidence of experience providing assessments and evaluation services (up to 10)
- Willingness and commitment to develop an agency plan to provide services to homeless individuals in the future (up to 10 points).
- Evidence of the agency's cultural competence in providing homeless services (up to 10 points)

A proposal may receive up to 100 points.

Review Panel

When the proposals are received, a panel appointed by the Director of the Department of Mental Health will review the proposals and will individually rank the respondents based upon the information submitted using the evaluation criteria included in this RFA. The panel may then interview the highest scoring respondents for additional information and to determine how each respondent handles questions relevant to the performance of the project activities required by the award. The panel may choose not to interview the highest scoring respondents or make take other appropriate action including recommending that all responses to the RFA be rejected. The panel may recommend up to three agencies to receive funds and mentoring.

Decision on Awards

The above selection process will result in a recommendation to the Director of the Department of Mental Health for awards or a recommendation that no awards be made. When the Director makes awards, the Department and the selected agencies will enter into a written Agreement. The Agreement will provide for the disbursement of funds. The Agreement will be subject to D.C. laws and regulations.

The Agreement shall include, but not be limited to, a statement of the purpose of the award, the amount of the award, the term of the project, reference to applicable statutes and rules and a requirement that the recipient shall comply with the, a scope of work, outcome criteria, reporting

requirements, a payment schedule and the name, address and telephone number of the project manager at DMH and the agent for the recipient.

SECTION VII APPLICATION FORMAT

In order to be considered, the proposal must adhere to the following outline:

- I. Description of agency and its experience in providing mental health services to adults with serious and persistent mental illness, especially those with co-occurring substance abuse disorders.
- II. Description of agency's administrative structure and fiscal capacity.
- III. Description of agency staffing and leadership and how they will contribute to successful implementation of homeless outreach.
- IV. Description of the agency's clinical services and how integration of housing services, mental health treatment, and all other required services will be implemented and monitored..
- V. Agency's proposal for the use of grant funds (\$25,000 over a six-month period).
- VI. Plans for consumer involvement in all aspects of homeless outreach.
- VII. Plans to ensure cultural competence in provision of services.

The above narrative **must not** exceed 15 double-spaced pages. Attachments are to be limited to the agency's mission statement; resumes of key staff; examples of marketing (brochure, etc.) and copies of the agency's overall budget and organization chart. Attachments are not included in the 15 page limit.

Proposals not in compliance with the above limitations will not be scored.

PUBLIC CHARTER SCHOOL BOARD

NOTICE OF PUBLIC MEETING

Washington, DC: The DC Public Charter School Board will hold its monthly public meeting on Monday, October 20, 2003 at 7:30pm. The meeting will take place at the Board headquarters at 1436 U Street, NW, Suite 401.

Community members interested in public charter school education are encouraged to attend. For more information, call 202/328-2660.

**PUBLIC SPACE COMMITTEE MEETINGS
FY'2003**

In accordance with Section 742 of the District of Columbia Self-Government and Governmental Reorganization Act, the District of Columbia Public Space Committee, as established under Mayor's Order 86-147 as amended, hereby gives notice that regular meetings of the Committee in 2003 will be held on the dates listed below at 10:00 am at the Frank D. Reeves Building, 2000 14th Street, N.W. Please refer to the specific date for the exact location of the room, as it changes from month to month.

September 25-2nd Floor Community Room

October 23-6th Floor Conference Room

November 20-2nd Floor Community Room

December 18-2nd Floor Community Room

The meetings are open to the public and citizens are encouraged to attend and provide testimony on public space permit applications scheduled before the Committee.

The Committee's responsibility is to make final determinations in cases involving the use of public space, exclusive of those involving the permanent closing of streets, those which have been delegated to the Director, Department of Consumer and Regulatory Affairs, and those involving the use of air rights above or below a street or alley under the jurisdiction of the Mayor.

Members of the Public Space Committee include representatives from the following Departments and agencies: Department of Transportation: Department of Consumer and Regulatory Affairs: Office of Planning: Office of the Secretary: and the Office of the Secretary.

It is the policy of the Committee to review all such applications that have been processed and forwarded in advance of the scheduled meetings by the Executive Secretary.

Accordingly, an agenda will be available for review one week prior to the above meetings. Copies of the agenda or other materials may be obtained by contacting either Lars Etzkorn, Associate Director, District Department of Transportation, at (202) 671-2333, or Denise Wiktor, Executive Secretary, Public Space Committee, District Department of Transportation, at (202) 535-2209.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 16996 of Martin Block, pursuant to 11 DCMR § 3104.1 for a special exception under § 223 to allow an addition to an existing one-family dwelling that does not comply with the rear yard requirements (§ 404) in an R-1-B zone, and pursuant to 11 DCMR § 3103.2 for a variance from the off-street parking requirements under §§ 2101.1 and 2116.4 of the Zoning Regulations at premises located at 3348 Military Road, N.W., (Square 1991, Lot 35)

HEARING DATE: March 25, 2003

DECISION DATE: March 25, 2003 (Bench Decision)

DECISION AND ORDER

Preliminary Matters

Martin Block, the property owner (the owner or the applicant) of the subject premises, filed an application with the Board of Zoning Adjustment (BZA) on January 22, 2003 for a special exception under § 223 to construct an addition to his residence where the addition would not conform to the minimum rear yard requirements of § 404.1. Matthew Ossolinski, a licensed architect retained by the applicant, submitted a "self-certification" form with the BZA which describes the zoning relief that is requested (Exhibit 7).

Notice of Public Hearing The BZA scheduled a public hearing for March 25, 2003. Pursuant to 11 DCMR 3113.3, notice of the hearing was sent to the applicant, owners of all property within 200 feet of the subject premises, the Advisory Neighborhood Commission (ANC) 3G, the District of Columbia Office of Planning (OP) and the Department of Transportation. The applicant posted placards at the property regarding the application and public hearing and submitted an affidavit to the BZA to this effect (Exhibit 22).

OP Report and Amendment to Application OP reviewed the special exception application and prepared a written report supporting the special exception, but noted that the owner might also need a variance from the parking requirements within the Zoning Regulations (Exhibit 25). As a result, the owner requested permission from the BZA to amend his application to include the variance relief. The BZA granted this request and considered the variance as well as the special exception during the public hearing on March 25, 2003.

At the hearing, Karen Thomas, an OP planner, testified in support of a variance of the parking requirement, noting that the applicant had no viable options other than parking on the driveway. The BZA credits her testimony.

ANC Report In its report dated March 17, 2003, ANC 3G indicated that, at a regularly scheduled monthly meeting with a quorum present, the ANC voted not to support the special exception, stating that it objected to the scale of the proposed development on such a small lot (Exhibit 21).

Persons and Parties in Support Several neighbors wrote in support of the application, including the owners of the two adjacent properties.

Persons and Parties in Opposition Other than the ANC, there were no persons or parties in opposition.

FINDINGS OF FACT

The Property

1. The property is located at the corner of Military Road and Nevada Avenue in the Chevy Chase neighborhood of northwest Washington. It is improved with a two story single-family brick residence with a basement, and was constructed in 1930, prior to the adoption of the Zoning Act of 1938 or the 1958 Zoning Regulations.
2. The lot, being only 4,238 square feet, is undersized under the current Zoning Regulations.¹ It also has a very irregular shape, with unusual dimensions (See Exhibit 2). The longest property lines along the property face the roadways along Military Road and Nevada Avenue, while the smaller edges of the lot are adjacent to the side yard and rear yard neighbors.
3. The lot is also non-conforming in that the rear yard setback requirement is not met. Section 404.1 of the Zoning Regulations requires a minimum 25 feet rear yard for dwellings in the R-1-B zone. The existing residence is setback only 10 feet 7 inches from the rear yard property line.

The Application

4. The applicant proposes to remove an existing attached structure² and construct a new west wing of the residence. The addition would include a basement addition at the east side of the property and a basement with one-story addition at the west side. The applicant proposes to use the addition as an "art studio"

¹ Section 401.3 of the Zoning Regulations requires a minimum lot size of 5,000 square feet in the R-1-B zone.

² The structure is referred to by the applicant as a "garage", but is too small to house motor vehicles.

for photography. He possesses a valid home occupation permit for this purpose.

5. Although the proposed addition would comply with side yard requirements in the R-1-B zone, it would violate the applicable rear yard requirements, in that it would be set back only 4 feet 6 inches from the rear yard line. Because the dwelling with addition would violate the rear yard setbacks, it would not comply with applicable area requirements under Section 404 of the Zoning Regulations.
6. The proposed addition reduces in height as it approaches the neighboring house to the south at 5379 Nevada Avenue, and would face the side of that property where there are no windows. Also, the residence at 5379 Nevada Avenue will not be effected by the addition because there is an existing tall fence between the properties. The addition to the east of the existing house would be built at the basement level only and would not project above the first floor level. With his application, the owner submitted photographs of the property (Exhibit 5) and elevations for the proposed additions (Exhibit 8). He also submitted a 3 dimensional scale model showing the proposed construction and adjacent homes.
7. The proposed addition does not deviate from the pattern of development along Nevada Avenue and Military Road. The scale of the proposed addition will match the adjacent properties due to the materials and windows to be used.
8. The applicant proposes to continue using the driveway off of Nevada Avenue to park his vehicle, a practice of his since he purchased the residence thirteen years ago. This portion of the driveway is located between the property line and the building restriction line in violation of § 2116.4 of the Zoning Regulations. Because the driveway does not qualify as a valid parking space under the Zoning Regulations and because the parked vehicle would encroach into the setback area, the applicant also seeks a variance of the requirement to provide a parking space under Section 2101.1 of the Zoning Regulations.
9. There is no off-street parking near the applicant's residence on Military Road or Nevada Avenue. Nor is there an alley adjacent to the lot. Therefore, the only place to park is on the lot. The only method of ingress or egress for a vehicle is through the driveway entered on Nevada Avenue. While there is

sufficient space to install a parking pad at the east side of the lot (where it would not encroach into the setback), the applicant would need to obtain a curb cut off Military Road, tear down a large tree, regrade the property, and install retaining walls.

CONCLUSIONS OF LAW

The Special Exception

The BZA is authorized under § 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799, as amended; D.C. Code § 6-641.07(g)(2) (2001)), to grant special exceptions as provided in the Zoning Regulations. The applicant is seeking a special exception pursuant to 11 DCMR § § 223 and 3104.1 to construct an addition to a one-family dwelling in an R-1-B District, where the addition will not comply with the rear yard requirements of § 404.

The Applicant Qualifies for Special Exception Relief. The BZA can grant a special exception where, in its judgment, two general tests are met, and, the special conditions for the particular exception are granted.

The general tests. First, the requested special exception must "be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps." 11 DCMR § 3104.1. Second, it must "not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Map" 11 DCMR § 3104.1. The proposed addition will not change the residential/home occupation use of the dwelling and will be in harmony with the existing residential neighborhood. Because of the windows and other materials to be used, the addition will blend in with the residence and those residences at nearby properties. While the addition will result in an increase in the percentage of lot occupancy, the BZA does not believe that this increase will significantly alter the character of the residence or dramatically change its scale or bulk in relation to residences on other nearby properties. And, as stated in the Findings of Fact, and specified in detail below, the addition will not adversely impact on neighboring properties. Indeed, neighboring property owner -- including both adjacent property owners-- have supported the special exception application.

The "special conditions" for an addition under § 223.1. Under Section 223.1 of the Zoning Regulations, the BZA may permit an addition to a one family dwelling where it does not comply with applicable area requirements, subject to its not having a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

- a. The light and air available to neighboring properties shall not be unduly affected.

Because the proposed addition reduces in height as it approaches the neighboring house to the south, it will not unduly affect the light and air available to neighboring properties at the south. And, because the addition is located to the north of the neighboring house, it will not cast shadows on the neighboring house at the north. Also, the basement addition will not project high enough to effect the light and air available.

- b. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised.

The privacy of neighboring properties will not be effected because no portion of the proposed addition will be built opposite first floor windows of the adjacent properties. Also, there is an existing tall fence between the subject property and the property to the south at 5379 Nevada Avenue.

- c. The addition, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.

The proposed additions do not deviate with the pattern of development along Nevada Avenue or Military Road. Nor do the scale of the proposed additions. Since the design is not out of character with existing properties in the immediate area, the proposed additions will not cause any visual intrusion from the frontage along Nevada Avenue or Military Road.

- d. In demonstrating compliance with (a), (b) and (c) of this subsection, the Applicant shall use graphical representations such as plans, photographs or elevation and section drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and view from public ways.

The applicant has provided photographs, elevation drawings, a site plan showing the relationship of the proposed addition to adjacent buildings, and a three dimensional model of the addition and adjacent properties.

The BZA is required under Section 13 of the Advisory Neighborhood Commission Act of 1975, effective October 10, 1975 (D.C. Law 1-21, as amended; D.C. Official Code §1-309.10(d)(3)(A)), to give "great weight" to the issues and concerns raised in the affected ANC's recommendations. To give great weight the BZA must articulate with particularity and precision the reasons why the ANC does or does not offer persuasive advice under the circumstances and make specific findings and conclusions with respect

to each of the ANC's issues and concerns. In this case, the ANC has not offered persuasive advice. It stated that the scale of the proposed development was too big for the lot. Based upon the evidence, including the submitted plans, photographs and elevations, and the OP report, we believe the proposed addition is consistent with the neighborhood in terms of scale, bulk and design.

For the reasons stated above, the BZA concludes that the applicant has satisfied the burden of proof with respect to the application for a special exception under § 223 to allow the construction of an addition that does not comply with the rear yard requirements in an R-1-B zone.

The Variance

The BZA is authorized under § 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799, as amended; D.C. Official Code § 641.07(g)(3)(2001), to grant variances from the strict application of the Zoning Regulations. The applicant proposes to continue using his driveway off of Nevada Avenue to park his vehicle. A portion of the driveway is located between the property line and the building restriction line in violation of § 2116.4 of the Zoning Restrictions. In addition, the driveway does not qualify as a parking space under the Zoning Regulations, in violation of the obligation under § 2101.1 of the Regulations to provide a parking space. As a result, the applicant seeks relief from these two provisions of the Regulations.

Section 8 of the Zoning Act of 1938, as repeated in 1 DC,R § 3103 authorizes the BZA to grant a variance where

by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any [zoning] regulation. . . . would result in peculiar and exceptional practical difficulties to. . . the owner of the property."

Because the property is an acute angled corner lot, subject to setback restrictions at the side and rear sides, only a small portion of it is buildable. In addition, the lot itself is undersized, resulting in only a small portion of an already small lot that can be put to use. The dwelling was constructed in 1930, long before the current minimum lot size requirements and setback requirements were put in place. Thus, the lot has been non-conforming for many years, and a vehicle has been parked on the driveway for at least the 13 year period during which the current owner has resided there. If the owner is not granted a variance from the parking requirements, exceptional practical difficulties would result. He would have to obtain a curb cut off Military Road – a very busy road. He would have to cut a mature tree, regrade the property where it slopes, and construct a

retaining wall. Allowing the parking to continue at the driveway would have no detrimental effects and would not impair the intent or purpose of the zone plan.

In reviewing a variance application, the BZA is required under D.C. Official Code § 6-623.04 (2001) to give "great weight" to OP recommendations. OP has concluded that the applicant's long-standing practice of parking on his driveway is his only viable option and recommends granting the variance from the parking requirements. For the reasons stated in this Decision and Order, the BZA agrees with OP's recommendation that the variance of the parking requirements be granted.

Therefore, for the reasons stated above, it is hereby **ORDERED** that:

- a. the motion to approve the special exception is **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, Curtis L. Etherly, Jr., David A. Zaidain and John G. Parsons, in favor of the motion, none opposed, and Anne M. Renshaw having recused herself from participating in the proceedings)

- b. the motion to amend the application to include variance relief and to grant the variance from the parking requirements is **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, Curtis L. Etherly, Jr., David A. Zaidain and John G. Parsons, in favor of the motions, none opposed, and Anne M. Renshaw having recused herself from participating in the proceedings)

Vote taken on March 25, 2003

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member has approved the issuance of this Decision and Order.

FINAL DATE OF ORDER: SEP 27 2003

PURSUANT TO 11 DCMR § 3125.6, THIS DECISION AND ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL. SAG/rsn

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17039 of Mr. And Mrs. John McAdams, pursuant to 11 DCMR § 3103.2, for a variance from the building height and story limitations under section 400, and a variance from the gross floor area (GFA) restrictions of the Wesley Heights Overlay District under subsection 1543.3, to allow the attic dormers and additional GFA of an existing single family detached dwelling to remain in the WHOD/R-1-A District at premises 2708 44th Street, N.W. (Square 1340, Lot 35).

HEARING DATE: July 22, 2003
DECISION DATE: September 9, 2003

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board provided proper and timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3D, the Office of Planning (OP) and to owners of property within 200 feet of the site. The site of the application is located within the jurisdiction of ANC 3D. ANC 3D submitted a letter in support of the application. The OP submitted a report recommending denial of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR §§ 3103.2. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, 404 and 1543.3, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BZA APPLICATION NO. 17039

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Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 4-1-0 (Geoffrey H. Griffis, Ruthanne G. Miller, and Curtis L. Etherly, Jr. to approve, James H. Hannaham to approve by proxy, David A. Zaidain opposed to the motion).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring Board member has approved the issuance of this order.

FINAL DATE OF ORDER: SEP 27 2003

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT

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DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17052 of Government of the District of Columbia Office on Aging, pursuant to 11 DCMR § 3104.1, for a special exception to construct a senior wellness center under section 205 (Elderly Development Center), in the R-1-B District at premises 1901 Evarts Street, N.E. (Square 4124, Lot 50).

HEARING DATE: September 23, 2003

DECISION DATE: September 23, 2003 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 5B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5B, which is automatically a party to this application. ANC 5B did not participate in the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under § 205. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 205, that the requested relief can be granted, subject to the conditions set forth below, as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the

BZA APPLICATION NO. 17052

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requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: **5-0-0** (Geoffrey H. Griffis, Anthony J. Hood, Curtis L. Etherly, Jr., Ruthanne G. Miller and David A. Zaidain to approve).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: SEP 27 2003

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS,

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FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17053 of Government of the District of Columbia Office on Aging, pursuant to 11 DCMR § 3104.1, for a special exception to allow an addition to and renovation of a senior wellness center under section 205 (Elderly Development Center), in the R-5-A District at premises 3001 Alabama Avenue, S.E. (U.S. Res. 672, Parcel 214/185).

HEARING DATE: September 23, 2003

DECISION DATE: September 23, 2003 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 7B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 7B, which is automatically a party to this application. ANC 7B submitted a letter in support of the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under § 205. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and OP the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 205, that the requested relief can be granted, subject to the conditions set forth below, as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

BZA APPLICATION NO. 17053

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Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, Anthony J. Hood, Curtis L. Etherly, Jr., Ruthanne G. Miller to approve, David A. Zaidain not voting, having recused himself).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER SEP 27 2003

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS,

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PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17058 of District of Columbia Fire Department, pursuant to 11 DCMR § 3103.2, for a variance from the use provisions under subsection 320.3, a variance from the lot occupancy requirements under section 403, and a variance from the rear yard requirements under section 404, to allow the construction of a Ready Rescue Apparatus Storage Facility in the R-3 District at premises 915 Gallatin Street, N.W. (Square 3002, Lot 64).

HEARING DATE: September 23, 2003

DECISION DATE: September 23, 2003 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 4D, the Office of Planning (OP) and to owners of property within 200 feet of the site. The site of the application is located within the jurisdiction of ANC 4D. ANC 4D submitted a letter in support of the application. The ANC letter did not meet the test for great weight under subsection 3115. The OP submitted a report recommending approval of the application.

As directed by 11 DCMR § 3119.2, the Board required the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to 11 DCMR §§ 3103.2. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, 320.3, 403, and 404, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BZA APPLICATION NO. 17058

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Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: **5-0-0** (Geoffrey H. Griffis, David A. Zaidain, Curtis L. Etherly, Jr., Ruthanne G. Miller, and Anthony J. Hood to approve).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring Board member has approved the issuance of this order.

FINAL DATE OF ORDER: SEP 27 2003

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

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